

IDAHO DEPARTMENT OF PARKS AND RECREATION
“To improve the quality of life in Idaho through outdoor recreation and resource stewardship.”

Teleconference Board Meeting
December 13, 2007
Originating at Idaho Department of Parks and Recreation Headquarters
Boise, Idaho

AGENDA

Thursday December 13, 2007

9:05 a.m. Call to Order

Welcome guests

Additions or deletions to the printed agenda

9:05 a.m. Kootenai County Fee Request * AI

10:25 a.m. Adjourn

9:07a.m. Chairman Williams called the December 13th, 2007 Teleconference Board Meeting to order with the following Board members in attendance:

Jean McDevitt, Vice Chair, Pocatello
Randal Rice, Moscow
Ernest J. Lombard, Member, Eagle
Latham Williams, Chair, Ketchum
Steve Klatt, Member, Sagle
Doug Hancey, Member, Rexburg

Also present during the meeting were the following individuals:

Robert Meinen, Director
Jan Johns, Administrative Assistant to the Director
Dean Sangrey, Division Administrator - Operations
Dave Ricks, Division Administrator – Management Services
Steve Frost, Recreation Resource Bureau Chief
David Claycomb, Grants Specialist
Steve Strack, Attorney General - Natural Resources

Kootenai County Fee Request

As a result of a deficit in the county boating program budget in 2006, Kootenai County officials began looking at ways to address the fiscal shortfall for the future. Kootenai County officials concluded that the implementation of user fees was the best option to meet that need. The county boating program funding is split between the Kootenai County Sheriff's office and the Kootenai County Parks and Waterways program. To address the aforementioned shortfall, Kootenai County is requesting the IDPR Board allow them to charge fees for those facilities funded through the WIF program.

Kootenai County will only charge fees to launch a registered vessel. There will be no charge to enter a facility for day use activities such as swimming, picnicking, or for overnight moorage. Currently, Kootenai County is the only government agency that does not collect fees to launch a vessel in North Idaho. In Kootenai County, IDPR, the City of Post Falls, City of Coeur d'Alene, and the BLM all charge a fee to launch vessels.

In anticipation of IDPR Board action and as per *I.C. 63-1311(a)* stipulates, Kootenai County did hold a public meeting to discuss the issue. In spite of significant media coverage leading up to the meeting, Kootenai County stated they received, “...*virtually no negative responses regarding the implementation of fees*”.

The fees they intend to charge are as follows:

- *Vessels registered in the State of Idaho - \$4/day and \$20/Annual pass*
- *Vessels registered outside the State - \$8/day and \$40/Annual pass.*

All county fees shall be used, “...*solely for the operation, maintenance, and upkeep of county waterways facilities,*” as per the associated county ordinance.

We currently have an IDAPA rule (300.06) that allows for a nominal fee “*commensurate with costs of maintenance and upkeep of the facility or real property with the approval of the board*” to be charged with grant related projects. Kootenai County did not “check” the box in their grant application that indicates they intend to charge a fee associated with the grant project. As such, one can assume that committee members’ scores may have been different in light of the fee issue.

While there is no way to know how many counties may follow suit, the decision to allow Kootenai county to retroactively charge fees would set a precedent and it is reasonable to expect additional counties to request to do the same in the WIF program, as well as all other IDPR grant programs. Additionally, although all other government entities in Kootenai County currently charge a fee, none of those receives boating registration dollars as the County does.

Allowing Kootenai County to charge a launch fee may cause some reciprocity issues with surrounding states. Although the Coast Guard mandates that all states recognize each other’s registration, it doesn’t restrict or legislate anything dealing with launch fees. As such, if entities in Idaho engage in this, we can probably expect other states to take the same approach.

During the 2007 legislative session, a \$7 vessel registration fee increase was passed that is projected to bring an additional \$118,000 dollars based on current registration data for Kootenai County.

Staff recommends that the Board allow Kootenai County to charge the fees previously identified, in association with all WIF facilities funded through the IDPR grant program.

Staff further recommends that these types of requests be given consideration on a case-by-case basis, to look at issues such as the amount of non-resident use within the county, the amount of additional rates being proposed, and the annual fiscal deficit that led to the need to add additional fees

9:10 a.m. Mr. Klatt suggested the following conditions for fee request approval:

- Approval of the criteria which IDPR Board could consider Kootenai County request
- Fund dedication by ordinance which could apply to either city or county
- Public hearing for fee adoption
- IDPR has the right to review the fee use by audit in the future

Mr. Strack suggested that this become a Board Policy. Discussion followed regarding setting the criteria and general policy for fee requests charged at grant funded facilities.

9:56 a.m. Mr. Klatt moved that the Board approve Kootenai County request for instituting boat launch fees per schedule presented based upon the following criteria:

- Fund dedication by ordinance to maintain marine facilities
- Public hearings for fee adoption
- IDPR has the authority to review by audit fund used for appropriate use annually
- Prior to these requests, a presentation of funds needed for ongoing maintenance deficit and ongoing maintenance.

Mr. Hancey seconded the motion.

Discussion followed.

1:06 p.m. Mr. Klatt withdrew his motion. Mr. Hancey withdrew his second.

Discussion followed.

10:18 a.m. Mr. Klatt moved that the IDPR Board conditionally approve Kootenai County's request for 2008 for instituting boat launch fees per the schedule presented based upon the following conditions of approval:

1. Funds be dedicated by ordinance to permanently maintain marine facilities
2. Public hearings be held for fee adoption
3. IDPR reserves the right to review by audit fund use annually
4. A presentation by Kootenai County of funds needed to address the maintenance deficits that exist now and for ongoing maintenance needs and with the acceptance of that presentation and information by the IDPR Board, this approval will continue.

Mr. Hancey seconded the motion. Discussion followed. The Chair called for a vote on the motion. Roll call was taken. Klatt-aye, Rice-aye, Chair Williams-nay, McDevitt nay, Lombard-aye, Hancey aye. Motion passed.

10:25 p.m. Chairman Williams adjourned the meeting.

Latham Williams, Chair
Idaho Park and Recreation Board

Robert L. Meinen, Director
and Ex-Officio Member of the Board